## IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF TEXAS, BROWNSVILLE DIVISION

STATE OF TEXAS, et al.,	
Plaintiffs,	
v.	)
UNITED STATES OF AMERICA, et al.,	)
Defendants,	)
KARLA PEREZ, et al.,	Case No. 1:18-cv-0068-ASH
Defendants-Intervenors,	)
and	)
STATE OF NEW JERSEY, Defendant-Intervenor.	) ) )

## UNOPPOSED MOTION FOR LEAVE TO FILE BRIEF OF AMICI CURIAE NINETEEN UNIVERSITIES IN SUPPORT OF DEFENDANTS' OPPOSITION TO PLAINTIFFS' MOTION FOR A PRELIMINARY INJUNCTION

Amici hereby request leave to file the attached Brief of Amici Curiae Nineteen

Universities in Support of Defendants' Opposition to Plaintiffs' Motion for a Preliminary

Injunction. A copy of a proposed order is attached.

This Court has broad discretion to grant leave to file *amicus* briefs. *United States ex rel*. *Gudur v. Deloitte Consulting LLP*, 512 F. Supp. 2d 920, 927 (S.D. Tex. 2007). When determining whether leave should be given, the Court considers, among other things, "whether the proffered information is 'timely and useful' or otherwise necessary to the administration of justice." *Id*.

Amici are nineteen distinguished American institutions of higher education: Brown
University, California Institute of Technology, Columbia University, Cornell University,
Dartmouth College, Duke University, Emory University, Georgetown University, George
Washington University, Harvard University, Massachusetts Institute of Technology,
Northwestern University, Princeton University, Stanford University, University of Chicago, the
University of Pennsylvania, Vanderbilt University, Washington University in St. Louis, and Yale
University.

Though important differences exist between them, *amici* share a common mission to educate the next generation of leaders with the talent, creativity and drive to solve society's most pressing problems. In furtherance of that objective, *amici* have admitted undocumented students who benefitted from the protections and opportunities provided under Deferred Action for Childhood Arrival ("DACA"). Like their classmates, the DACA students on *amici*'s campuses make enormous contributions to our campuses and our country.

The universities that are signatories to this brief have a unique perspective on the potential impact of the proposed preliminary injunction. The brief highlights the harm to *amici*, their students and alumni, and the United States that would result from enjoining DACA. *Amici* have an interest in their undocumented students' welfare and ability to obtain a full and complete higher education. *Amici* also have an interest in ensuring that when these students graduate, they are able to put their education to its highest use. Plaintiffs' Motion for a Preliminary Injunction jeopardizes *amici*'s interests by forcing their students and graduates to make the impossible choice between withdrawing to the margins of our society or returning to countries that many of them have never known. Whatever they choose, their gifts and education will be lost to this nation.

Plaintiffs', Defendants', and Defendant-Intervenors' counsel have consented to the filing of this *amicus* brief.

For the foregoing reasons, *amici* respectfully request the Court's permission to file the attached Amicus Brief, a copy of which accompanies this Administrative Motion as Exhibit A.

Dated: July 20, 2018 Respectfully submitted,

By: /s/ Ryan K. Yagura
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## **CERTIFICATE OF SERVICE**

The undersigned hereby certifies that service of the foregoing document was automatically accomplished on all known filing users through the Court's CM/ECF system and/or in accordance with the Federal Rules of Civil Procedure on this 20th day of July, 2018.

<u>/s/ Ryan K. Yagura</u> Ryan K. Yagura